## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

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| 2010 JUN 2 1 DB                            |
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| U.S. DISTRICT COURT MIDDLE DISTRICT OF TN. |
| ) MIDDRE DISTRICT OF THE                   |
| )<br>No. 09-00899                          |
| )<br>) Judge Haynes                        |
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## <u>DEFENDANT KURT W. BARTLETT'S MOTION TO DISMISS COUNT FOUR OF</u> WYNDHAM VACATION RESORTS, INC.'S COMPLAINT

Defendant Kurt W. Bartlett ("Defendant or Bartlett"), pursuant to Federal Rules of Civil Procedure 12(b)(6), or alternatively Rule 12(c), hereby moves this Court to dismiss Count Four of the Complaint for Failure to State a Claim Upon Which Relief Can Be Granted. As set forth in more detail in the supporting memorandum, Plaintiff cannot prevail on its claim for the Intentional Interference with Business Relations against Bartlett because the claim lacks merit. In support of this motion, Bartlett relies upon his Memorandum of Law in Support of Motion to Dismiss submitted concurrently herewith.

Respectfully submitted,

Kurt W. Bartlett 127 Rural Avenue

Nashville, Tennessee 37209

615-479-0550

Pro Se

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 21 day of June, 2010, a true and exact copy of the foregoing MOTION TO DISMISS has been forwarded by regular US Mail, postage prepaid, to the persons listed below:

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KURT W. BARTLETT